

REMARKS

Claims 10, 12-14, 18-20, 39-43 have been amended, and claims 63-76 have been added. Claims 1-9, 11, 15 and 21-33 had been previously cancelled as being directed to the non-elected invention. Upon entry of this amendment, claims 10, 12-14, 16-20, and 34-76 will be pending. Applicants suggest that the pending claims be renumbered consecutively according to the independent claims as follows: Claims 10, 12-14, 16, 34-38, 40-42, 60 and 63-66 be renumbered as claims 1-19; claims 17-20, 39, 46-54, 61 and 67-71 be renumbered as claims 20-40; and claims 43-45, 55-59, 62 and 72-76 be renumbered as claims 41-52. No new matter has been added.

The Office's withdrawal of the claim rejections/objections raised in the Office Action dated January 14, 2004 is gratefully acknowledged. It is further acknowledged that claims directed to methods of ameliorating arthritis, or treating rheumatoid arthritis (RA), using anti-IL22 antibodies have been allowed. To expedite prosecution of the instant application, all of the pending claims have been amended to be directed to methods of treating arthritis using anti-IL22 antibodies, or antigen-binding fragments thereof. Amendment of these claims should not be construed as an acquiescence to any of the Examiner's rejections. Applicants reserve the right to pursue the cancelled subject matter in a separate application.

Claims 10, 12-14, and 18 have been amended be drawn to methods of treating arthritis, e.g., RA, psoriatic arthritis, osteoarthritis, using anti-IL22 antibodies, or antigen-binding fragments thereof. Support for these arthritic disorders can be found, e.g., at page 1, lines 20-26 and page 37, line 18, of the specification. Claims 14 and 39 have been amended to be in multiple dependent form.

New claims 63-76 have been added. Support for these newly added claims can be found, e.g., at page 1, lines 20-26; page 37, line 18; and page 34, lines 31-32, of the specification.

Formalities

Applicants note that they have not received an initialed copy of the Supplemental IDS and 1449 form submitted to the Patent Office on September 22, 2004.

Rejection of Claims 10, 12, 34-42 and 60-61 under 35 U.S.C. 112, First Paragraph

The Office rejected claims 10, 12, 34-42 and 60-61 under 35 U.S.C. 112, first paragraph. According to the Office "the specification, while being enabling for a method of treating arthritis, does not reasonably provide enablement for methods of treating all autoimmune disorders."

Although Applicants disagree with the Office's position, to expedite prosecution of the instant application, the pending claims have been amended to be directed to methods of treating, or ameliorating, arthritis, using an anti-IL22 antibody, or an antigen binding fragment thereof. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

CONCLUSION

Applicants submit that the present application is in condition for allowance and such action is respectfully requested. Should any questions or issues arise concerning this application, the Examiner is encouraged to contact the undersigned at (617) 665-6073.

The Commissioner is hereby authorized to charge any fees required in connection with the above-referenced application, or to credit any overpayment of same, to Deposit Account No. 07-1060 (Reference No. GI 5358 CIP).



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